

REMARKS

Applicants' respectfully request reexamination and reconsideration of the application in view of the following remarks.

Claims 16-18 have been canceled. Claims 1, 9, 15, 19-26, 28-29, 31, 34-36, 43, 48, 49, and 51 have been amended. And new claim 52 has been added to depend from claim 28 and is supported by Example 4 in the specification.

The Examiner has rejected claims 1-50 under 35 USC §103(a) as being unpatentable over Duan et al., (U.S. Patent 5,608,000).

Applicant respectfully traverses the rejection and requests that the Examiner withdraw the rejection in view of the following remarks.

Applicants' claimed invention does not utilize the aggressive solvents taught in the cited reference such as NMP, DPMA, or acetone as set forth at column 3, lines 64-66 of the reference. These types of solvents are known as internal solvents when used as described in the reference for the solvents are added during the polyurethane dispersion during manufacture of same. The Examiner alleges that Duan et al. discloses aqueous polyurethane dispersion used in making polyurethane coatings in the presence of solvent; however, the Duan reference teaches making adhesives, not coatings. There are fundamental differences between the adhesives taught by Duan and Applicants coating product. Most obvious is the fact that adhesives have to be sticky on both sides. It must stick to the surface (first substrate) to which it is applied and still maintain a sticky surface to adhere to another surface (second substrate) subsequently applied thereto. Coatings can only be sticky to a single surface or substrate.

It is also noted that the Duan reference teaches blending of the PUD at elevated temperature, wherein Applicants' product can be applied at ambient temperature and requires no heat for curing. Applicant's invention is not used for laminating operations requiring an activation temperature of over 200 degrees F for bonding polymers such as polypropylene foam to polyvinyl chloride as suggested at column 5, line 40 of the cited reference.

Duan's reference teaches how to make PUD through a reaction process, as set forth in claims 1 and 13 as reaction products. Applicants the use of PUD as a fully-cured ingredient in the invention as claimed and chemical reaction are not involved in the curing process which is dependent on the evaporation of the solvent.

Moreover, Applicant notes that the Duan reference teaches making a polyurethane dispersion having solids contents ranging from 31 to 32.6 percent as set forth at column 6, line 62; column 7, line 28; column 7, line 56; column 8, line 62; and column 11, line 27. As amended, all of Applicants' claims contain a polyurethane dispersion having solids contents of at least 40 percent by weight.

Moreover, Applicant's peelable composition upon curing forms a coating composition having a smooth sealed exterior skin enclosing a porous interior providing structural integrity thereto.

Finally, Duan does not teach nor suggest the use of a release agent of propellant as claimed by Applicant.

For all of the foregoing reasons, Applicant submits that the claims are patentable over the cited references and that the application is in condition for allowance. Accordingly, Applicant respectfully requests prompt reconsideration and receipt of the

formal Notice of Allowance.

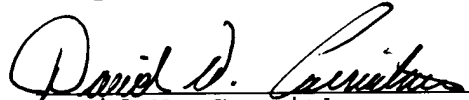
In view of the canceled claims, Applicant does not believe any additional fees are due for adding new dependent claim 52.

A check is enclosed as payment for the fee for the Petition requesting an Extension of Time. Please charge any underpayment or credit any overpayment to Counsel's deposit account 50-0642.

A Rule 132 affidavit is also enclosed attesting to the commercial success of the instant invention including a label from the product sold under the brand name of SPIRIT FOAM.

If the Examiner believes there are other unresolved issues in this case, Applicant's attorney would appreciate a telephone call at (502) 452-1233 to discuss any such remaining issues.

Respectfully submitted,


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